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TOWARDS EFFECTIVE CITIZEN PLANNING

Testimony by
John E. Zuccotti, *Chairman*
New York City Planning Commission
before the
State Charter Revision Commission
for New York City

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TOWARD EFFECTIVE CITIZEN PLANNING

Testimony by John E. Zuccotti, Chairman of the New York City Planning Commission, before the State Charter Revision Commission for New York City. Friday, March 30, 9:30 A.M.

I am glad to have this opportunity to meet with you this morning. I appreciate the complexity and significance of your task - and am somewhat awed by your courage in undertaking it. There is an old Chinese curse which says, "May you live in interesting times." Having detected no recent shortage of interest, nor foreseeing one in the near future, I wish you every success in your difficult but essential endeavor.

I appear before you as Chairman of the Planning Commission, but the views are those of the entire Commission. I was a Commissioner for two and a half years, and my remarks reflect that personal experience as well.

I would like to share with you some of our thoughts on planning, budgeting and decision-making. I will discuss the roles of the City Planning Commission and the community boards, and examine some of the alternatives under consideration for changing the planning process.

In sum, I will be speaking about the redistribution of power, so that local matters can be decided in and with the community.

Has theme questioned validity

Background on the Planning Commission

First, some biography. The City Planning Commission was created by the 1938 Charter and sustained by the 1963 version. It is composed of a chairman who is appointed by the Mayor and serves at his pleasure. Its six members are

appointed by the Mayor for overlapping eight year terms. Independence is built into the system; the Commissioners' terms of office outlast the administration that appointed them. The overlapping nature of the eight year terms also provides the institution with continuity.

The Commission has attracted distinguished men and women with varied backgrounds. It presently includes an urban economist who is dean of a school of urban affairs and former member of a community board, a trade unionist and former member of a community board, an architect, the former head of a community board, an attorney and specialist in government financing, and a community and civic leader. As for me, I have been actively involved in housing and urban affairs since I left law school 10 years ago. I was special counsel to the Housing Subcommittee of the U.S. House of Representatives Banking and Currency Committee and special assistant to the former undersecretary of the Federal Department of Housing and Urban Development.

The Commission is a unique institution charged with responsibility for putting elements together, for spotting trends, identifying priorities and linking ideas.

To meet these responsibilities, the staff of the Department of City Planning supplies guidelines to and coordinates the activities of the operating agencies. The Department creates essential connective tissue, coordinating the work of agencies which are special pleaders for housing, recreation, transportation or education programs. It provides unique skills in such disciplines as zoning, mapping and planning law. It disseminates information and interprets data. We also have borough offices which provide staff liaison to each of the City's 62 community boards.

Areas of Responsibility

The Commission and Department have three major areas of responsibility: physical planning, the preparation of the capital budget and comprehensive or long-range planning.

--By physical planning I mean the review ofzoning, special zoning districts, urban design, public and publicly assisted housing and industrial development projects, street mapping and to some degree site selection. Related to these is the aggregate of planning, environmental, social and economic factors that may be crucial to consideration of any of these matters.

--Secondly, we prepare the initial draft of the capital budget, hold hearings on it, amend it and pass it along to the Mayor. We also prepare a longer range five year capital improvement plan. Throughout the course of the year we review budget amendments and our approval is required to advance them.

--Comprehensive planning is the compendium of policies, priority directives, programs, concepts and reports which guide change. It affects action: the way the City spends money and makes decisions. Comprehensive planning is the basis for the capital budget and improvement plan, and for the actions which carry out physical development. It is a continuing process - not a one-shot master plan - which examines the linked systems that sustain the City. It involves intensive community and governmental discussion and exhaustive research to illuminate what is achievable and to recommend what is necessary. It balances local demands and City-wide needs and develops the foundation underlying specific local actions.

Those are the ingredients. How does it all work? What are the unique advantages for the people of the City? How does the City Planning Commission solve difficult problems? Some illustrations are in order.

How the Process Works

Consider the problem of how to regulate the construction of nursing homes. (a)
The City has a manifest obligation to encourage facilities for the elderly. But, it has an equal responsibility to protect neighborhoods from being overwhelmed by such community facilities.

To stimulate nursing home development, zoning regulations had allowed such facilities an automatic bonus to exceed the allowable bulk in residential districts. However, the institutions tended to cluster in areas where land was relatively inexpensive and available. The result is excessive concentrations that tax sewer capacities, place intolerable burdens on local hospitals and health facilities, generate traffic and clog residential streets with parked cars. Individually nursing homes may be good, collectively, they can be harmful neighbors. They can also hurt the elderly, preventing them from receiving prompt medical care when they need it.

The Commission reviewed the problem with communities, institutions and agencies. Its health staff conducted intensive research about the City's total needs for nursing home beds. We reviewed pending applications and visited impacted areas.

As a result of our investigation and analysis, we drafted legislation to direct the building of nursing homes into areas which can support these facilities, and away from those already overburdened. The automatic bulk bonus was eliminated; it is now only accorded by special permit. Parking requirements were changed. The new zoning legislation serves the needs of the elderly better, while protecting existing neighborhoods.

The problems were local, but the solution had to be City-wide. The conflict could only be resolved by an agency responsible for balancing legitimate community demands and metropolitan priorities.

Another example. The theater district. Office buildings, having used nearly every available site on the east side, were sweeping westward. The theater district lay directly in the path of the advance. Theaters would have been decimated unless something were done to protect them. The two obvious options were equally unacceptable; stop the office boom or lose the theaters. The problem was local; but the issues were City-wide. New offices provide jobs. The theater district is a regional - actually national - resource. Destroy it and you weaken the City. The solution was a special zoning district making it economically possible for developers to include theaters in their new office buildings. Office development continued, the theater district is preserved and four new theaters have been built - the first in the area since the depression.

There are other examples of how the Commission and its staff coordinate development, bridge divisions and balance local and City-wide needs. These include saving parks in Tudor City, developing a satisfactory plan with the community groups and government sponsors for a containerport in South Brooklyn, and tying new residential development in Staten Island to sewer and school construction.

Strengths of the Commission

The Commission is the place where linkages are forged and opportunities seized. The Planning Commission and the Department are necessary complements to the process. The Commission is the place where pertinent questions are asked and suppositions tested. The staff provides the expertise and analysis. The Commission reviews and provides the public definition. One wouldn't be useful without the other. The process works because the Commission exists.

The Commission is a City-wide agency, in touch with community needs but not dominated by them. Only a City-wide authority can decide where essential, unpopular installations must be placed. Every community wants a high school but does not want hundreds of noisy youngsters next door. Every neighborhood wants its solid waste hauled away but none wants it deposited near by. Such decisions may be difficult, but they must be made.

The Commission can make them. It can take political heat because it is insulated from direct political pressure. As a rule, its members, except for the Chairman serve terms that overlap the administration that appointed them. Commissioners are independent of City Hall. That is why the Commission could turn down the ill-advised administration-backed proposal to build municipal garages in midtown a decade ago, and reject split lot zoning earlier this year. The Commission is a keystone in an intricate structure of checks and balances.

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Besides its resistance to political and parochial pressures, the Commission - and so the department - has other unique strengths.

Because the Planning Commission has the right to zone, the Planning Department has the ability to bargain and negotiate with developers. That has led to a range of privately financed improvements that contribute to the City's attractiveness and vitality, including the new theaters, subway connections, arcades and pedestrian amenities. None could have been achieved without the Commission's power of legal approval. It gives staff needed leverage. Without it, staff would inevitably be ignored. The Department's professional staff would be reduced to impotent advisors, presenting ideas whose time would come - and pass - without making a dent in reality. By legitimizing the ideas of the staff, the Commission makes the good ones count.

Also can lead to arbitrariness & graft

A project under consideration becomes a focal point for review by Department experts from several angles. For example, a zoning change to permit a housing development raises questions about land use, density and community facilities. Are resources and sites available? Will transportation facilities be adequate? And sewers? What about shopping? What is the likely relocation load? Where is the nearest park? Only a central planning agency can take steps to insure that a school will be budgeted for children yet unborn in an apartment house yet unbuilt.

The Commission also provides a forum where community groups can influence decisions, whether on such major developments as a new convention center or a proposal to protect an older but stately residential neighborhood in Kew Gardens by reducing the allowable density. Staff and local groups work well together because the Commission is empowered to translate the results of their joint analyses into action.

I - and many other civic minded New Yorkers - have come to appreciate the importance of the close relationship between the Commission and the Department. I think it is crucial that it be maintained.

There is another important reason for having a Planning Commission. It is a long established principle of administration that planning and the provision of City services should be undertaken by separate agencies of City government. The underlying basis for that is reflected in sound municipal budget processes.

The Planning Commission, with its broad perspective, can make the difficult choices between operating agency programs that are desirable but not simultaneously attainable. It can reconcile budgetary needs of all operating agencies for capital improvements - particularly vital when we find that larger operating agencies often submit requests that exceed the total amount available for all agencies. Budgetary demands of operating agencies are governmed by their own needs and objectives. Planning must transcend these and provide the coordinated framework to achieve overall objectives.

Filter to the Board of Estimate

Among the reasons prompting creation of a City Planning Commission in the 1938 Charter was to relieve calendar congestion at the Board of Estimate. The Commission was to act as a filter to the Board of Estimate to aid the Board in the technical analysis of planning and development matters. It serves that function. Items approved after public hearing by the Planning Commission are forwarded to the Board after thorough review. Data are

assembled, sites checked, negotiations conducted, problems resolved, issues joined. Were there no Commission, no agency with a legally required vote, little would be accomplished. Negotiations would become at best perfunctory - for developers would not be compelled to satisfy a Commission whose approval they needed. The give and take would all be loaded into the political arena of the Board of Estimate. This would inevitably place a substantial added burden on the Board. That burden would be compounded because many items are disposed of by the Commission without a public hearing. These would also rise without the filtering system to clog the Board's already top-heavy agenda. The log-jam would all but preclude any meaningful citizen participation. There would be a collision of minor and major issues tangled in an undifferentiated heap. In the past, this confusion led to the creation of quasi-public autonomous bodies to expedite matters. Filling a power-vacuum, these heavy-handed super-authorities have acted with a minimum of public involvement.

Their primary obligation has been to their bond-holders - not the electorate. This would hardly advance the kind of planning - and citizen involvement - I believe we all desire.

Toward Two-Tiered Government

Although the system provides a central forum -at the Planning Commission and the Board of Estimate - it does not provide for any local forum. The planning process should reflect both tiers of interest - local and Citywide - and provide greater responsibility at the local level.

We have moved in this direction in recent years, but on an ad hoc, informal basis. Communities have participated - but sometimes too little or too late to have any impact or to avoid conflict.

The problem is the lack of a neighborhood tribunal where concerned residents can influence and shape decisions affecting their future. Such a local forum should be provided as a formal part of the planning process. And the community boards should be the vehicle for enriched community participation.

Giving Communities a Say in Their Future

To advance and investigate that thesis, top staff and the Commission have been meeting to examine the planning process, and formulate changes that may be appropriate.

We are aware that there is persistent sentiment for giving local communities increased authority. But there is as much uneasiness about granting that degree of power as denying it.

The dilemma is how to give communities a say about important issues, without granting them veto power over the public welfare. The problem is to prevent short-term accommodations from slipping into long-term anarchy. Decentralization should strengthen the City's neighborhoods and communities, not Balkanize them.

It would be simple if there were a way to define in advance purely local matters, and parcel them out to local communities for action. But, there is no way to sift out concerns and issues which are exclusively local from those with more far-reaching implications. Most projects combine both - even if in unequal

proportions. Stamping some transactions for local consideration only, while reserving others for a broader forum would be unrealistic, arbitrary and illusory. Any such process would become hopelessly bogged down in a miasma of jurisdictional disputes.

Is a minor street modification procedure, needed to build a housing project, a purely local matter? Should not local residents have a say about the location of such borough-wide or City-wide facilities as hospitals, detention centers, marine transfer stations, highways or subway lines?

We believe that new procedures can be instituted which satisfy both parts of the equation. Our view is that the planning process can and should be further decentralized.

This means that communities must share in the decision-making process. There must be a redistribution of authority so that matters affecting the future of our neighborhoods can be decided in and with local communities. At the same time, City-wide needs and priorities must be articulated. Required programs and projects which transcend the interests or boundaries of any one community must be identified, justified and advanced. Both perspectives are essential and flow from the concept of a two-tiered municipal government. Both are equally important and together provide a firm foundation for a successful decentralization effort.

I believe that bringing the communities more closely into the planning process is timely, essential and right.

There are several reasons why we believe this shift is in order:

--It will make the Commission more accountable to the people it was created to serve.

--It will address the alienation that grips much of the population and bring people together by providing a real chance for them to influence the future of their communities; and

--It will enrich the planning process so that we get better, more rational decisions faster.

Advantages of Decentralization

I believe that decentralization will strengthen the planning process and make it more efficient. Neighborhoods have a real contribution to make. One of every four members of the Planning Department staff works in a borough office, but even they cannot have the intimate knowledge of a resident. Moreover, for lack of real community participation, worthwhile projects are sometimes stymied. By involving communities in the decision-making process, therefore, we gain their expertise and lose only the possibility of irresponsible opposition.

Citizen involvement is a reality. History has clearly shown us that the only choice is to work with the communities - or they will work against us.

Indeed, decentralization of the planning process began through the efforts of the Planning Commission. We proposed the creation of 66 local planning districts back in 1950. One year later, the then Manhattan Borough President, Robert Wagner, appointed members to each of the 12 boards recommended for that borough. Between 1963 and 1966 local boards were announced for the other boroughs. In 1968, during the Lindsay administration, the Planning Commission created the

62 districts in which local community boards now operate. We subsequently opened offices in every borough and provide information and assistance to the boards. A staff member attends every board meeting. We have established a good and productive working relationship with the community boards.

Increasing Authority of Community Boards

Now I believe the time is right to increase the authority of the community boards.

To achieve this, the boards must become more than sounding boards. They will require more than advisory powers. We must respond to their needs in four areas which challenge the system most severely:

--We plan to provide more detailed information to the boards earlier in the life of development proposals;

--Secondly, we will increase our support services so the boards can properly evaluate and analyze these proposals;

--Third, there must be a decentralized hearing procedure for such proposals - a forum of first instance - in the community where board representatives and the community at large can be heard and heeded;

--Finally, we have formulated some preliminary ideas about how to increase the community boards' share in making decisions which affect their neighborhoods. Some of these may require charter changes. They affect the three areas of the Commission's responsibilities and I would like to explore them with you now.

In Physical Development: Communities must have a real voice in influencing the physical proposals that affect their future. Current procedures, remote from the areas they reshape, tend to promote distrust and confusion more than confidence.

We believe that a new structure is needed involving a redistribution of power to give the communities a greater say, while preserving a central voice to protect Citywide interests.

Our proposal is to structure the City into a number of local planning administration districts. Each district would fully encompass two or more community planning districts. The ultimate number of districts would be determined by a careful review of the potential workload - our preliminary analysis indicated 18 might be suitable - and the necessity to allow for appropriate coordination among districts.

Each local planning administration district would be supervised by a local planning administrator who would have a full planning staff located in the area. The local staff would review all proposed changes in the zoning map, zoning variances, special permits and housing development and renewal plans affecting the district. Only zoning text amendments, all of which have Citywide relevance, would still be initiated by the Planning Commission.

The locally reviewed items would be heard in the community by a four-member panel. This four-member panel would consist of the local planning administrator who would be responsible to the head of the Department of City Planning, the chairman (or chairmen) of the local community board(s) in which the project is located, a member of the City Planning Commission, and a representative of the Borough President. The panel would reflect both local and Citywide perspectives, the points of view of the central administration and those of the elected borough official.

If the four members of the panel agreed unanimously on any item, the matter would be disposed of then and there. No further action would be required. This puts a premium on negotiation and gives the developer an added incentive to work closely with the community. Achieving unanimity would save him time and money.

When an item received three favorable (or three negative) votes, the City Planning Commission would have the option of exercising appellate jurisdiction. It would be heard by the full Commission and, if passed, by the Board of Estimate. Any item receiving a split vote would automatically be referred to the Planning Commission.

The local planning administration panel would also assume initial jurisdiction over variances and special permits now heard by the Board of Standards and Appeals. The overwhelming majority of matters considered by the Board concern private applications of local interest. For example, of the nearly 800 items acted on by the Board last year, only some 70 had more than local significance. The local planning administration panel would seem ideally suited to consider these applications. The applicant would have the right to go to the Board of Standards and Appeals to reverse a planning administration ruling for error. However, no additional testimony would be taken. The local planning administration hearing would be the record upon which judgment would be based.

We believe this procedure would expedite decisions. Many non-controversial items would be disposed of quickly in the appropriate community forum. There would be an opportunity to resolve difficult problems early in the game and

avoid costly delay and disruption later. Local participation would be enriched, but local communities could not obstruct needed projects.

In Comprehensive Planning: Our experience with Plan for New York City was most valuable and useful in leading toward the new comprehensive planning process. Our meetings with the 62 community boards in reviewing that document convinced us that establishing an on-going dialogue on the basic issues facing the City is of infinitely more significance and value than pretending to decide on which street corner a new firehouse may or may not be built in 10 years.

Comprehensive planning serves as a backdrop for decision. It shapes actions and determines the way the City uses its land and spends its money, talent and energies.

It is a continuing process, a key part of an on-going dialogue on the basic issues facing the City. We believe it is essential to open the comprehensive planning process to increased community participation.

To us a comprehensive planning report is any document dealing with Citywide issues; or one which focuses on a local area but cuts across a variety of disciplines.

We propose that all comprehensive planning reports receive a maximum of public exposure and debate before adoption by the Planning Commission.

Before adopting any such report, the Commission would present the document as a draft at a workshop. Community representatives, professionals and experts in

the field, officials, proponents of differing views, and members of City-wide organizations would be invited to attend. Issues would be crystallized and concepts challenged in the give and take of debate. The process would bring the participants into issue definition and policy formulation.

At the end of the workshop the Commission would issue a final report which would be widely distributed and forwarded to the Mayor for implementation. The process would be highly visible. The City's performance - or lack of it - could be measured.

A related aspect of the comprehensive planning process - which we are undertaking now - is the production of a series of Community Planning Handbooks. The handbooks will be basic references containing information on local zoning, population, community facilities, school enrollment and other relevant data. Material will be concise and current. We believe this information is public property and that it is our job to disseminate it so that the public - and community boards in particular -- can have the tools they need for intelligent planning. Once the boards have the basic information, the Commission and the boards can develop a framework for analysis of community issues.

In Capital Budgeting: We propose a new procedure that stresses visibility and accountability. Its objectives are to make the capital budget a sharper reflection of local and City-wide priorities and to provide a mechanism that will translate budgetary priorities into brick and mortar.

The Planning Commission should play a stronger role in influencing what capital projects get built, when and where. Our approval of zoning changes and development plans must be related to realistic programming of supporting facilities. Local needs must be weighed against City-wide capital construction needs.

The current capital budget procedure wastes our energies on line by line accounting and cost estimating. We propose the following changes. Some would require charter revision.

We would prepare a new kind of five year capital improvement program, six months earlier than currently.

It would provide the framework for making decisions on individual capital projects and include: 1) Program analysis statement, a City-wide analysis of needs and resources as well as policy and priority guidelines; 2) Community development status report, an analysis of the relationship between the capital program and other development in each community; and 3) Target Program, a detailing of the actions required during the next year to implement the plan.

The Program Analysis Statement would describe the basis on which decisions on capital projects are made, identifying City-wide priorities and outlining criteria.

It would contain dollar allocations to categories of programs for the five year period within potential funding levels, indicating how much would be allotted to such categories as sewers, housing maintenance, land acquisition, schools. This would be accompanied by a statement describing overall needs and recommended City policies towards meeting those needs. Priorities among programs would be spelled out.

The community development status report would provide the basis for community planning board recommendations on the plan and budget.

It would list public and, where possible, private projects and programs proposed for each community and describe their current status. Included would be housing, community service and support facilities, and industrial development programs.

The target program would provide the basis for the Mayor's annual action timetable which would in turn become the firm basis for the annual budget prepared by the Bureau of the Budget.

The target program would list all projects in adopted budgets which we recommend for action during the coming year. In addition it would point out areas where new projects should be initiated in the next budget. For each item we would spell out the steps required during the year to achieve budget status.

The Target Program will be a means to expedite high priority projects. The Target Program will be adopted as part of the capital improvement plan by the Commission in June and forwarded to the Mayor. The Mayor would issue an action timetable in July directing agencies to implement the Target Program. The Mayor would use the Target Program and action timetable as the basis for making his agencies accountable for production of priority capital projects. While he would have the perogative of altering the Commission's priorities, the greater visibility of the process would require greater responsiveness by all involved.

Agencies would be required to report on progress in implementing the Target Program when submitting capital budget requests to the Mayor in the fall. Agencies would also submit their projected needs for the succeeding five years. The Commission would review these submissions at Departmental

Hearings. The hearings would serve as a check on progress in implementing the Target Program. The Mayor would prepare the first draft of the Capital Budget in February, for submittal to the Board of Estimate and City Council. The Mayor would be required to explain differences between the Capital Budget and the Target Program.

Because the process would start earlier, there would be enough lead time built in so that high priority projects could be identified and their problems resolved in cooperation with community boards and their status advanced in coordination with operating agencies. It would be a way of charting a project's critical path with sufficient time for deadlines to be met. Now, the process begins too late to alter set patterns. Too often, high priority projects get bogged down in site selection or design. Putting them in the budget is futile. They don't necessarily need funds; they need to be expedited.

The new process would give communities additional leverage and additional information. They would have a way to make their recommendations count.

Planning department staff would work with community boards in the preparation of the target program. We would seek out their priority recommendations, and respond to them. We would work with them to formulate capital budget proposals and keep them apprised of a project's progress.

The process would be developed in the public forum and there would be decentralized hearings held on the capital improvememt plan before the Planning Commission adopted it.

The Five-Year Plan would be an integral part of the comprehensive planning process, an annual statement reflecting our goals and objectives. The new procedure would give the Commission a better and more meaningful way to influence allocations, and give the communities a greater voice in planning to meet their needs.

Decentralization with a Grain of Salt

These then are some of the measures we propose to achieve workable decentralization. Some things can de done under the present charter: we will do them. Some may require a change: we will explore and try them. What they all require is to be tested and evaluated by us before they are introduced.

We do not view decentralization as a panacea, nor do we support it without some healthy skepticism.

Decentralization doctrine in planning, as in education, borders on being an act of faith. There is much conviction, but little knowledge. We cannot solve our problems by believing mightily and thinking minimally. Our efforts must grow out of action and experience - not rhetoric. We must be willing to try new approaches, but we must also be equally committed to evaluate, to acknowledge that we can be wrong, and - when required - to change.

Learning from Experience

In this regard we are already testing some thoughts on how to meet these objectives.

We are decentralizing our hearing procedures. We can retain our City-wide wide function without holding every public hearing in City Hall. We held the first such official Commission hearing, in Queens, earlier this week.

We shall do the same in the Bronx, Brooklyn and Staten Island in order to test and evaluate the new process.

To carry out the Mayor's program, which I see as an experiment in site selection procedure, to decentralize decisions on the location of street lighting and bus shelters, we have sent guidelines to all the community boards, at their request, to help them carry out these responsibilities.

We are testing a new capital budget procedure that will require the Commission and the operating agencies to respond to community board recommendations affecting priorities in their districts.

To help the boards carry out their new budgeting responsibilities, we are launching a training program. We will acquaint board members further with details of budgeting procedures and the constraints on the City in making recommendations so that they, in turn, can have a greater impact on allocation decisions.

We will continue the training program, perhaps in connection with the community colleges, to provide information about other technical subjects such as zoning and mapping. Taking the mystery out of planning is vitally important to the quality of citizen participation.

There are other illustrations or examples that we will pursue, exploring various approaches to learn more about decentralization.

For example, we look forward to being able to experiment by providing a staff person for one board in each borough. The staff member would work exclusively for the board and be responsible to its chairmen. In another borough we might combine three board areas into a single unit and provide a range of decentralized staff services and information through that entity.

Structure of the Community Board

As partners in the process, community boards should be strengthened. We endorse the proposal to provide the Boards with increased administrative and secretarial help. We would support an increase in the allocation from $10,000 to $25,000 to each Board for this purpose.

We would like to offer other suggestions on the structure of the Community Boards themselves. We do not believe that the way to make the Boards more responsive is through local elections. Experience with local elections is disappointing. Turnouts are generally small. They are subject to takeover by factions. They have been demonstrations of political muscle more than exercises in participatory democracy.

While we recognize that the planning and budgeting functions are part of the political process, we believe that the institutions concerned should not be domina ted by politics and we think elections would have that effect. We suggest that Board members should continue to be appointed by the Borough President, perhaps with the advice and consent of the Borough Improvement Board, or upon the nomination of the local community board. But there should be formal obligations for the members to be more geographically representative within their districts, and there should be mandated requirements for public hearings.

Unworkable Alternatives

Three alternatives have been proposed to the present system which would be retrogressive and unworkable.

One calls for retaining only the department of City Planning as an advisory arm of the Mayor. The other calls for five borough commissions. The third, a variant, calls for a planning commission with members appointed by the Borough Presidents.

The first of these suggestions would be self-defeating. As I mentioned earlier, it is the Commission's right of approval and disapproval that gives the Department its power, that makes the Department relevant. Without the Commission, the Department would be disregarded. Sever the two and you destroy effective planning in the City.

The second suggestion, advanced in the name of decentralization, is to create Borough Planning Commissions. The decentralization would be illusory; the harm real.

Instead of one City Planning Commission there would be five - one each for "communities" the size of Los Angeles, Philadelphia, Detroit, Houston and Rochester. They would combine the worst of both worlds - too big to represent local communities; too small to advocate Citywide interests. Each would have to decentralize further for meaningful community participation. There would be no mechanism to resolve conflicts between boroughs. There would be no voice to articulate City-wide priorities and needs. There would be no guide for achieving a balance between local and metropolitan concerns. Tensions and conflicts would be exacerbated by the boroughs' natural advocacy positions. Borough Commissions would become doctrinaire partisans of parochial interests. The sum of the parts would consistently be far less than the whole. There would be no decentralization, only splitting of the City into contending fiefdoms.

This would be particularly retrogressive at a time when our vision should be extended not foreshortened. We should be considering new approaches to regional planning and devising ways to work more effectively with neighboring communities instead of contemplating divisive fragmentation.

Nor do we believe that the City would be served if each Borough President appointed a member of the Planning Commission. The Planning Commission would be reduced in stature, becoming a kind of miniature Board of Estimate. Its City-wide function would be derailed. It would be a whistle-stop for preliminary log-rolling and political jousting on the way to the Board of Estimate.

There is one final thought I would like to leave with you today. It relates to another important reason for the creation of the City Planning Commission rooted in the 1938 charter. The framers of the charter, with the scandal of the little tin box still fresh, saw to it that bribery couldn't buy zoning or mapping favors. They gave the seven member Planning Commission the exclusive right to initiate zoning changes. Under this system, New York has been free of any suggestion of zoning scandal. Other cities, without independent Commissions, have not been so fortunate. Corruption has not been isolated nor uncommon. Places such as Nassau and Suffolk counties, Southern New Jersey, New Haven, Oahu in Honolulu and Omaha Nebraska, have all had major zoning scandals, scandals which hurt the development process and which hurt the people of these cities. The protection given New Yorkers against tampering with zoning is inherent in an independent Planning Commission and should not be dismissed lightly.

In this connection I would like to quote from the report of your predecessor Charter Revision Commission issued 36 years ago.

> "The primary purpose of such a City Planning Commission is to guide and to influence the city in its development and future growth. The growth and development of a modern city depend upon the wisdom and foresight with which capital improvements are undertaken and the extent to which the integrity of zoning regulations and of the city map is maintained. Unfortunately such expenditures too often have been undertaken because of local and special pressures and without relation to the interests of the city as a whole. Great waste has resulted and a species of log-rolling has developed in connection with measures affecting local or special interests. Such evils inevitably occur in representative government when several representatives of separate constituencies may join in supporting measures of local or special interest affecting their several constituencies or followings. But such evils are not be be cured by abolishing representative government, or by substituting one representative body for another. They should be controlled by publicly confronting the represenratives with the interests of the public at large. Too often such interest finds no advocacy because the local political or special interest is organized and the general interest is not.
>
> "It is therefore proposed to create a responsible, independent commission concerned with the welfare of the whole city, to advise and report upon all questions affecting the growth of the City, including the expenditure of capital funds, changes in zoning and changes in the city map."

What was true then, is true now.

In sum, I believe that decentralization of planning is essential, and that a strong City Planning Commission is needed to make decentralization work. One is dependent on the other. Borough Commissions would not serve the people of the City nor advance the process of decentralization. We should aim toward a balanced two-tier form of municipal government and not shatter the structure for counterfeit advantages. I advocate sharing power with the communities. I believe it is the only tenable course. We do not have the option of simply preserving the status quo.

We should seek further information and knowledge about the mechanics of decentralization through experiments and illustrations. Conviction is not a substitute for experience.

The proposals I have outlined today are just that -- proposals. We will be reviewing them with community boards and other groups. We hope to return to the Charter Commission with more detailed recommendations at a later date after we have circulated and tested them. I remind the Commission of the wisdom of Thomas Jefferson who served in a function similar to yours, drafting the Constitution of the state of Virginia: "Ignorance and delay are preferable to error; and he is less remote from the truth who believes nothing, than he who believes what is wrong."

Once again, I appreciate the opportunity you have given me to testify today. I look forward to reporting back to you on our progress.

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John E. Zuccotti, Chairman

Martin Gallent, Vice-Chairman

Gerald R. Coleman, Gordon J. Davis, Sylvia Deutsch,
Chester Rapkin, Jaquelin T. Robertson, Commissioners